

ORDINANCE NO. 2013-25-CM
AMENDING TIPPECANOE COUNTY CODE
ADDING NEW CHAPTER 97
REGULATING THE USE OF
CONSUMER FIREWORKS

WHEREAS, pursuant to IC 22-11-14-10.5 a county may adopt an ordinance concerning the use of consumer fireworks in the unincorporated areas of the county; and

WHEREAS, the Board of Commissioners of Tippecanoe County, Indiana desires to adopt regulations concerning the use of consumer fireworks in the unincorporated areas of Tippecanoe County to decrease the chances of injury to persons and property and to help preserve the livability and tranquility of the County of Tippecanoe;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Tippecanoe County, Indiana, that the Tippecanoe County Code, be amended to add a new Chapter 97 regulating the use of consumer fireworks and reading as follows:

CONSUMER FIREWORKS

Section 97.31 Definitions.

(a) *Firework*. The term “firework” shall be defined as provided in IC 22-11-14-1, as amended.

(b) *Consumer firework*. The term “consumer firework” shall be defined as provided in IC 22-11-14-1, as amended.

(c) *Adjusted Urban Area Boundary*. The term "Adjusted Urban Area Boundary" means the boundary of urbanized areas in Tippecanoe County as designated by the U.S. Bureau of the Census following the most recent decennial census and thereafter adjusted by the Area Plan Commission of Tippecanoe County.

Section 97.32 Use or discharge of consumer fireworks prohibited except on certain dates and times.

(a) This chapter applies only to those unincorporated areas of the County that are within the Adjusted Urban Area Boundary as defined in Section 97.31(c).

(b) Consumer fireworks may **only** be used or discharged within the unincorporated areas of Tippecanoe County, Indiana on the following dates and times, as provided in IC 22-11-14-10.5:

1. Between the hours of 5:00 p.m. and two (2) hours after sunset on June 29, June 30, July 1, July 2, July 3, July 5, July 6, July 7, July 8, and July 9;

2. Between the hours of 10:00 a.m. and 12:00 midnight on July 4; and
3. Between the hours of 10:00 a.m. on December 31 and 1:00 a.m. on January 1.

Section 97.33 Enforcement.

The Tippecanoe County Sheriff's Department is responsible for the interpretation and civil enforcement of this chapter.

Section 97.34 Seizure and forfeiture of consumer fireworks.

Enforcement personnel from the Tippecanoe County Sheriff's Department may seize and dispose of consumer fireworks that are used in violation of this chapter.

Section 97.35 Penalty.

In addition to the seizure and disposition of consumer fireworks that are used in violation of this chapter, whoever violates any provision of this chapter shall be fined not more than two hundred and fifty dollars (\$250.00). A separate offense shall be deemed committed on each day that a violation occurs or continues.

This Ordinance shall be in full force and effect immediately upon its passage, signing and publication.

Presented to the Board of Commissioners of Tippecanoe County, Indiana, and approved on first reading this ____ day of _____, 2013, by the following vote:

**BOARD OF COMMISSIONERS OF
TIPPECANOE COUNTY**

VOTE

David S. Byers, President

John Knochel, Vice President

Thomas P. Murtaugh, Member

ATTEST:

Jennifer Weston, Auditor of Tippecanoe County

Presented to the Board of Commissioners of Tippecanoe County, Indiana, and approved
on second reading this _____ day of _____, 2013, by the following vote:

BOARD OF COMMISSIONERS OF
TIPPECANOE COUNTY

VOTE

David S. Byers, President

John Knochel, Vice President

Thomas P. Murtaugh, Member

ATTEST:

Jennifer Weston, Auditor of Tippecanoe County

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